

BILL NO. G-70-08-37

GENERAL ORDINANCE NO. G- 99-70

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of public alley in Hayden's Subdivision.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a portion of a public alley in Hayden's Subdivision by ZION EVANGELICAL LUTHERAN CONGREGATION having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on July 27, 1970 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley located in Fort Wayne, Allen County, Indiana, to-wit:

The East 150 feet of the east-west alley lying between Lot No. 15 Hayden's Subdivision and Lots Nos. 9 and 14 in said subdivision, according to the recorded plat thereof, in Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk of the City to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Jack R. Dungan

Read the first time in full and on motion by Dunifon seconded by

Adams and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan

~~Commission for recommendation) (and Public Hearing to be held after due legal notice,~~

~~at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~

the _____ day of _____ 196____, at _____ o'clock

~~P.M., E.S.T.~~

Date: 8-25-70

Thad J. Bonahoom
City Clerk

Read the third time in full and on motion by Dunifon

seconded by Steigerwald and duly adopted, placed on its passage.

Passed ~~(LOST)~~ by the following vote:

AYES 9, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

Adams	<u>✓</u>	_____	_____	_____
Dunifon	<u>✓</u>	_____	_____	_____
Fay	<u>✓</u>	_____	_____	_____
Geake	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Robinson	<u>✓</u>	_____	_____	_____
Rousseau	<u>✓</u>	_____	_____	_____
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 9-8-70

Thad J. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map) (General) (Annexation) (Special) (Appropriation)~~ Ordinance (Resolution) No. 8-99-70

on the 8th day of September, 19670.

ATTEST: (SEAL)

Thad J. Bonahoom
City Clerk

Herbert L. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day

of September, 19670 at the hour of 8:30 o'clock A.M., E.S.T.

Thad J. Bonahoom
City Clerk

Approved and signed by me this 10th day of Sept., 1960.

at the hour of 9:40 o'clock A.M., E.S.T.

Harold L. Zeis
Mayor

Bill No. G-70-08-39

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a portion of
public alley in Hayden's Subdivision,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance ADO PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GRAKE

PHIL A. STEIGERWALD

[Handwritten signatures: Jack K. Dunifon, Edwin J. Rousseau, Thomas G. Adams, William K. Grake, Phil A. Steigerwald]

CONCURRED IN

DATE 9-8-70 RUAD G. BONAHOOM, CITY CLERK

R E S O L U T I O N

WHEREAS, Zion Evangelical Lutheran Congregation has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing on the vacating of the following public alley in Allen County, Indiana, to-wit:

The East 150 feet of the east-west alley lying between Lot No. 15 Hayden's Subdivision and Lots Nos. 9 and 14 in said subdivision, according to the recorded plat thereof, in Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 27, 1970 at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

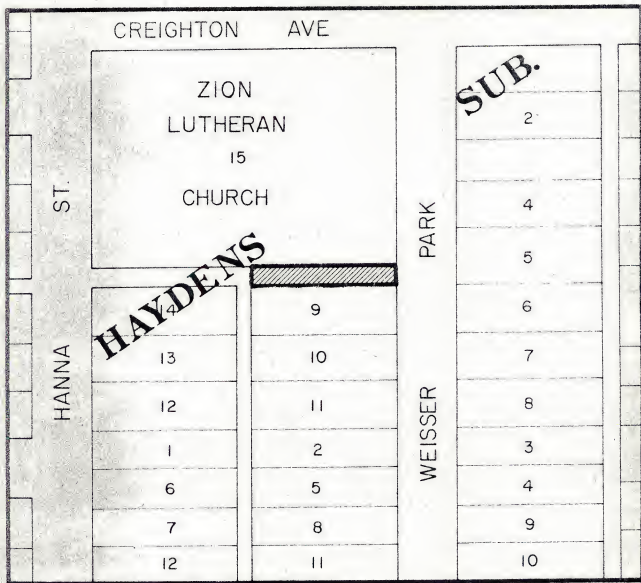
STATE OF INDIANA:
COUNTY OF ALLEN : SS:

I, ARTHUR C. RICHARD, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on July 27, 1970, and as the same appears of record in the official records of said Plan Commission.

Dated the 27th day of July, 1970.



ARTHUR C. RICHARD, President
Fort Wayne City Plan Commission



PORTION OF ALLEY TO BE VACATED

N